

RECEIVED
OCT 01 2003
TC 1700

PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bavykin, et al.
Title: COLUMN DEVICE FOR ISOLATION AND LABELING OF
NUCLEIC ACIDS
Serial No.: 09/751,654
Filing Date: December 29, 2000
Examiner: Suryaprabha Chunduru
Art Unit: 1755
Attny Docket: 0003/00797

RECEIVED

OCT 06 2003

TECH CENTER 1600/2900

CERTIFICATE OF MAILING: I hereby certify that this correspondence is being deposited with the United States Postal service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C., 20231 on **September 22, 2003** (Date of Deposit)

Aracely Sandoval
Name of Representative

[Signature]
Signature

9/22/03
Date

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

20 N. Wacker Drive
Chicago, IL 60606
312-621-1330

RESPONSE

Sir:

In response to the May 21, 2003 Official Communication in the above-identified matter, please consider the following remarks:

REMARKS

Claims 1-25 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 of copending Application No. 10/057,753 (Bavykin et al.) In view of Ekenberg (U.S. Patent No. 6,218,531).

Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mirzabekov et al (U.S. Patent No. 5,981,734) in view of Ekenberg '531.